

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA)
)
)
v.) CASE NO. DNCW3:00CR8-5
) (Financial Litigation Unit)
LETITA LOWE PICKLESIMER,)
)
 Defendant,)
)
)
and)
)
VISTA CAPITAL MANAGEMENT)
GROUP, INC.,)
 Garnishee.)

ORDER OF CONTINUING GARNISHMENT

THIS MATTER is before the Court on the Answer of Vista Capital Management Group, Inc., as Garnishee. On December 13, 2000, the Honorable Robert D. Potter sentenced Defendant to seventy-eight months incarceration on her conviction for Conspiracy to Commit Mail Fraud, Mail Fraud and Aiding and Abetting the same, Wire Fraud and Aiding and Abetting the same, Money Laundering and Aiding and Abetting the same, Engaging in Monetary Transactions in Property Derived from Unlawful Activity and Aiding and Abetting the same, and Conspiracy to Commit Money Laundering and Aiding and Abetting the same, all in violation of 18 U.S.C. §§ 371, 1341, 1343, 1956(a)(1), 1956(a)(1)(A)(i), 1956(h), 1957, 1957(a) and 2. Judgment in the criminal case was filed on December 27, 2000 (Docket No. 237). As part of that Judgment, Defendant was ordered to pay an assessment of \$1,900 and restitution of \$8,398,486.07 to the victims of these offenses. *Id.*

On November 5, 2013, the Court entered a Writ of Continuing Garnishment ("Writ") (Docket No. 386) to Garnishee, Vista Capital Management Group, Inc. ("Garnishee"). The United States is entitled to a wage garnishment of up to twenty-five percent of net income and

has satisfied the prerequisites set forth in 15 U.S.C. § 1673. Defendant was served with the Writ on November 9, 2013. Garnishee was served with the Writ on November 11, 2013. Garnishee filed an Answer to the Writ on November 15, 2013 (Docket No. 390) stating that at the time of the service of the Writ, Garnishee had in their custody, control or possession property or funds owned by Defendant, including non-exempt disposable earnings.

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$7,086,313.28 computed through October 31, 2013. Garnishee will pay the United States twenty-five percent of Defendant's net earnings which remain after all deductions required by law have been withheld, and one hundred percent of all 1099 payments, and Garnishee will continue said payments until the debt to the Plaintiff is paid in full, or until Garnishee no longer has custody, possession or control of any property belonging to Defendant, or until further order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

Clerk of the United States District Court
401 West Trade Street
Charlotte, North Carolina 28202

In order to ensure that each payment is credited properly, the following information should be included on each check: Court Number DNCW3:00CR8-5.

IT IS FURTHER ORDERED that Garnishee will advise this Court if Defendant's employment is terminated at any time by Garnishee or Defendant.

Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program any federal payment Defendant would normally receive may be offset and applied to this debt.

SO ORDERED.

Signed: December 10, 2013

D S Cayer

David S. Cayer
United States Magistrate Judge

